



IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHER DISTRICT OF MISSISSIPPI
NORTHERN DIVISION

MICHAEL WAYNE MCINTYRE

PLAINTIFF

VERSUS

NO.: 3:16-cv-886 HTW-LRA

CALSONIC KANSEI NORTH AMERICA, INC.
and NISSAN NORTH AMERICA, INC.

DEFENDANTS

JURY TRIAL DEMANDED

COMPLAINT

This is an action to recover actual and punitive damages for discharge in violation of public policy. The following facts support this action:

1.

Plaintiff MICHAEL WAYNE MCINTYRE is an adult resident citizen of 200 Penny Lane, Brandon, Mississippi 39042.

2.

Defendant CALSONIC KANSEI NORTH AMERICA, INC. (hereinafter "Defendant "Calsonic") is a Tennessee corporation which has its principle place of business and state of incorporation in states other than Mississippi or in a foreign nation. Defendant Calsonic is not a citizen of the State of Mississippi and is a citizen of a foreign nation. Defendant Calsonic may be served with process by service upon its registered agent, C T Corporation System, 645 Lakeland East Drive, Suite 101, Flowood, Mississippi 39232.

Defendant NISSAN NORTH AMERICA, INC. (hereinafter "Defendant Nissan") is a California corporation which has its principle place of business and state of incorporation in states

other than Mississippi or in a foreign nation. Defendant Nissan is not a citizen of the State of Mississippi and is a citizen of a foreign nation. Defendant Nissan may be served with process by service upon its registered agent, CSC of Rankin County, Inc., Mirror Lake Plaza, 2829 Lakeland Drive, Suite 1502, Flowood, Mississippi 38232

3.

The amount in controversy is more than \$75,000.00. This Court has diversity jurisdiction under 28 U.S.C. § 1332.

4.

Plaintiff was employed by Defendant Calsonic from April 15, 2014 until February 12, 2016. Defendant Calsonic is a supplier and a subsidiary of Defendant Nissan.

5.

On or about February 12, 2016, Defendant Calsonic discharged Plaintiff because Plaintiff had a semiautomatic .45 caliber pistol in the console of his locked car while the car was parked. Defendant Nissan caused its subsidiary Defendant Calsonic to fire Plaintiff because of the firearm's being in his automobile.

6.

The discharge of Plaintiff violated Mississippi public policy. Specifically, Mississippi public policy prohibits an employer from making, establishing or enforcing a policy which has the effect of prohibiting a person from storing a firearm in a locked vehicle in any parking lot. Plaintiff's firearm was stored in a locked vehicle. The firing was in violation of public policy set forth in MISS. CODE ANN. § 45-9-55. None of the exceptions of MISS. CODE ANN. § 45-9-55 applied.

7.

Defendants are liable to Plaintiff for discharge in violation of public policy since they jointly decided to fire Plaintiff in violation of public policy. Defendant Nissan is also liable for intentional interference with Plaintiff's employment relationship with Defendant Calsonic.

8.

Plaintiff has suffered lost income, lost future income, mental anxiety and stress by reason of his discharge.

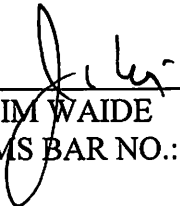
REQUEST FOR RELIEF

Plaintiff requests actual and punitive damages in an amount to be determined by a jury, reinstatement and reasonable attorneys' fees, costs and expenses.

RESPECTFULLY SUBMITTED, this the 11th day of November, 2016.

Respectfully submitted,

WAIDE & ASSOCIATES, P.A.

BY: 
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